

UNITED STATES BANKRUPTCY COURT
Southern District of Georgia

In re:
Krishayla Rashun Stone Simpson,
Debtor.

Case No.: 22-10082-SDB

Judge: Susan D. Barrett

Chapter: 13

CONSENT ORDER ON MOTION FOR RELIEF FROM STAY
(Official Local Form B-55)

MOVANT: U.S. Bank Trust National Association, as Trustee of the Igloo Series IV Trust, c/o SN Servicing Corporation, its servicing agent

SUBJECT PROPERTY: 1085 Horseshoe Rd., Augusta, GA 30906

After notice and a hearing the motion is ordered:

☐ Granted. ☐ The Trustee will discontinue distribution on the movant's claim and reduce movant's claim to the amount paid if no amended claim is filed within _____ days of this order.

☐ The Trustee shall reduce movant's claim relating to this collateral to the amount paid. Movant is granted leave to seek allowance of a deficiency claim, if appropriate.

☐ Continued to _____ at _____ a.m./p.m.

☐ Continued. The Motion will not be reassigned until a minimum of seven (7) days after Movant files and serves a Request for Assignment of Continued Hearing. That request shall not be filed until discovery is complete, including, if applicable, providing a post-petition payment history to opposing counsel.

☐ Denied.

☒ Denied on the condition that:

☐ The debtor shall make timely post-petition payments to Movant as required by the Chapter 13 plan.

☒ The debtor shall tender payments to Movant or take other action as follows:

- ☒ Post-petition arrearage is \$ 3,945.98 through the 07/01/22 payment due date, plus attorney's fee of \$ 950.00 and court costs of \$ 188.00 for a total arrearage of \$ 5,083.98*. *(4/22 through 8/22 @ \$778.65 each + \$64.08 late charges + \$950.00 fees + \$188.00 costs, minus \$11.35 in suspense.)
- ☒ Debtor shall pay to Movant the sum of \$ 850.00 on or before 08/15/22 which sum shall be applied to the above-referenced total arrearage.
- ☒ Debtor shall cure the foregoing arrearage in full by making additional monthly payments to the Movant in the sum of \$ 470.44 per month beginning 09/15/22 and continuing on the 15th day of each successive month thereafter, with a final additional payment of \$ 470.46 being due on or before 5/15/23.
- ☒ Debtor shall recommence making regular monthly payments to Movant, as same come due under the applicable loan documents, including any insurance premiums which may come due thereunder, (subject to adjustments if provided in the contract) beginning 09/01/22, and maintain current monthly payments thereunder for the pendency of this case. All payments must include the last four digits of the account number 5034 and shall be sent to the following address, depending on the type of payment:
- SN Servicing Corporation
P.O. Box 660820
Dallas, TX 75266-0820

STRICT COMPLIANCE IS ORDERED as follows:

- ☒ That in the event the debtor fails to comply with the terms of this order, the movant, through its attorney of record, may file an affidavit establishing the default, served upon the debtor and debtor's attorney. Upon the expiration of fourteen (14) days without the filing of a counter-affidavit by the debtor disputing the fact of default, an order will be entered lifting the automatic stay, converting the case to a Chapter 7 or dismissing the case without further motion, notice or hearing.
- ☒ The strict compliance provision of this Order shall expire on 08/31/23.

☒ Other provisions:

Any reinstatement by Debtor of a default shall include the fees and costs of the Movant to file the default affidavit. Movant may pursue any default that remains due and owing after the expiration date set forth above so long as it occurred within the strict compliance period set forth herein.

In the event the stay is lifted due to default by Debtor:

The stay set forth in FBR 4001(a)(3) is waived. Movant and/or its successors and assigns may offer, provide, and enter into a potential forbearance agreement, loan modification, refinance agreement, short sale, deed in lieu of foreclosure, or any other type of loan workout/loss mitigation agreement. Movant may contact Debtor via telephone or written correspondence to offer any such agreement. Claim No. 3 is reduced to the amount paid and any excess proceeds shall be turned over to the Chapter 13 Trustee.

NOTE TO COUNSEL: THE COURT REQUIRES ANY FORM MODIFICATIONS AND/OR NONCONFORMING TERMS TO BE PLACED IN THE "OTHER PROVISIONS" SECTION ABOVE, OR ON A SEPARATE PAGE.

[END OF DOCUMENT]

<u>/s/ Marc E. Ripps</u> <i>Attorney for Movant</i>	<u>s/Angela Williams Seymour</u> <i>Attorney for Respondent/Debtor</i>	<div>DocuSigned by:  D590151301C2404... son <u>Debtor</u></div>	<div> <u>Trustee</u></div>
<u>Marc E. Ripps</u> <i>Name (print)</i>	<u>Angela Williams Seymour</u> <i>Name (print)</i>	<u>Krishayla Rashun Stone Simpson</u> <i>Name (print)</i>	<u>Jane E. Miller – GA Bar # 256304</u> <i>Name (print)</i> Attorney for Chapter 13 Trustee Huon Le P.O. Box 2127, Augusta, GA 30903 (706) 724-1039 Correspondence@chp13aug.org
<u>606515</u> <i>GA Bar No:</i>	<u>636505</u> <i>GA Bar No:</i>		

Order prepared and submitted by:

s/: Marc E. Ripps
Attorney Name: Marc E. Ripps
Attorney for: Movant
GA Bar No: 606515
Address: P.O. Box 923533
City, St, Zip: Norcross, GA 30010-3533
Phone: (770) 448-5377
Email: meratl@aol.com

CERTIFICATE OF SERVICE

This is to certify that I have served the following parties in this matter with a copy of the within and foregoing by, **unless otherwise noted**, depositing a true and correct copy in the U.S. Mail with sufficient postage affixed thereto and properly addressed as follows:

Huon Le, Esq.
Chapter 13 Trustee
Via Electronic Notice

Angela Williams Seymour, Esq.
Attorney for Debtor
Via Electronic Notice

Krishayla Rashun Stone Simpson
1085 Horseshoe Rd.
Augusta, GA 30906

This 5th day of August, 2022.

/s/ Marc E. Ripps
Marc E. Ripps
Georgia Bar No. 606515

P. O. Box 923533
Norcross, GA 30010-3533
(770) 448-5377
Email: meratl@aol.com